GOVERNMENT OF ANDHRA PRADESH

A B S R A C T

Social Welfare Department –Land Acquisition for House Sites–West Godavari District – Rustumbada Village Narsapur Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.68,61,975 /- towards decretal charges in O.P No. 61/88 batch – Orders - Issued.

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SOCIAL WELFARE (BUDGET&LA) DEPARTMENT

G.O.RT.No. 161 Dated: 09-05-2016

Read the following

1. From the District Collector, West Godavari Lr.No.G2/2393/2009(Genl), Dated 18.09.2011.
2. From the CSW, A.P., Hyderabad Lr.No.LA3/204/2011, Dated 10.01.2012.
3. From the CCLA AP, Hyd. LA-II(3)/S2/73/2012, Dated 24.02.2015.

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O R D E R:

As reported by the Director of Social Welfare, A.P.,/District Collector, West Godavari, the Chief Commissioner of Land Administration, A.P., in the reference 3rd read above has stated that an extent of Ac.26.74 Cts of land covered by R.S. Nos. 469/1 etc. of Rustumbada Village of Narsapur Mandal was acquired for construction of houses for general public by A.P. Housing Board, vide award No. 4/88 dt : 17/03/1988 duly fixing the market value @ Rs. 55,275/- per acre. The compensation as per the award has been paid to the landowner in respect of Ac.14.80 Cts and remaining extent the compensation has been ordered to be deposited in Civil Court under Section 31(2) of the LA Act. Aggrieved by the compensation fixed by the LAO the land owners covered by an extent of Ac 23.41 Cts have filed OP in LAOP No.61/1988 before the Hon'ble Sr Civil Judge, Narsapur. The Lower Court in its orders dt 10.09.1999 in LAOP Nos.61/88 to 69/88 observed that the petitioners in all the LAOPs are not entitled to any enhancement of compensation. Aggrieved with the said orders the land owners have filed AS Nos.441, 484, 605 and 1168/2000 against the orders passed by the Trial Court. The Hon'ble High Court of AP and the High Court in orders dated 25.9.2008 in AS. No 441, 484, 605, 1168/2000 has enhanced the market value from Rs. 55,275/- to 1,50,000/- per acre with all statutory benefits. In turn the LAO has filed SLP in the Hon'ble Supreme Court in SLP © C.C No.21971-74/2009 and the same was dismissed by the Apex Court on 07.01.2010. The land owners have filed EPs 6 to 10/2010 in LAOP No. 61/1988 batch in Sr. Civil Judge Court , Narasapur and got attachment orders and attached the office property and movables of their office on 29/10/2010 for realization of Rs. 2,03,47,174/- towards their enhanced compensation. On verification of High Court orders in A.S. No. 441, 484, 605, 1168 and 2618 of 2000, it is known that out of the total extent of Ac 26.74 Cts acquired vide Award No. 4/88, the land owners by Ac 24.44 Cts are entitled for enhanced compensation.

2. The Chief Commissioner of Land Administration, A.P., has further stated that the LAO & RDO Narasapur also reported that during 1st phase Indiramma Programma, an extent of Ac 13.54 Cts of vacant land covered by R.S. Nos. 474 and 469 of Rustumbada Village has been purchased from A.P Housing Board and paid Rs. 55,00,000/- @ Rs. 6,20,000/- per acre subject to undertaking to pay enhanced compensation of the said land in case of enhancement made by the Courts in pending cases. As per work sheet, the enhanced compensation payable to D.Rs is calculated to Rs. 6,03,375/- per acre. Thereafter the District Collector, West Godavari has submitted proposals for sanction of Rs. 68,30,204/- (Rupees Sixty Eight lakhs Sixty thirty thousand two hundred and four only) towards payment of decretal charges in OP No.62/88 and batch for the lands acquired to an extent of A.11.32 Cts in R.S. No. 469/A1 etc., situated at Rustumbada Village of Narsapur Mandal for providing house sites to the weaker sections.

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3. After verification and scrutiny of the proposals submitted by the Director of Social Welfare, AP,/District Collector, West Godavari the Chief Commissioner of Land Administration, A.P., has sent comparative calculation sheet for sanction of Rs. 68,61,975/- (Rupees Sixty Eight lakhs Sixty one thousand nine hundred and seventy five only) towards payment of decretal charges in LAOP No. 61/1988 batch, for the lands acquired to an extent of A.11.32 Cts in R.S. No. 469/A1 etc., situated at Rustumbada Village of Narsapur Mandal of West Godavari District for providing house sites to the weaker sections.

4. Government, after careful examination of the above proposal, hereby accord permission to the Director of Social Welfare, A.P., Hyderabad for release an amount of Rs. 68,61,975/- (Rupees Sixty Eight lakhs Sixty one thousand nine hundred and seventy five only) to the District Collector, West Godavari, towards payment of decretal charges in LAOP No. 61/1988 batch, for the lands acquired to an extent of A.11.32 Cts in R.S. No. 469/A1 etc., situated at Rustumbada Village of Narsapur Mandal of West Godavari District for providing house sites to the weaker sections.

5. The expenditure sanctioned in para (3) above shall be met within the B.E.2016-17 and debited to the following Head of Account**:**

"2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid".

6. The Director of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, West Godavari District to comply with the Court orders in O.P Nos. No.61/88 and batch.

7. The District Collector, West Godavari shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. These orders issues with the concurrence of Finance (Expr.SW) Department, vide their U.O No. 270/A1/FMU-Welfare.I/2015, dated 31.10.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. VIJAY KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Spl CS & Chief Commissioner of Land Administration,
A.P., Hyderabad
The Director of Social Welfare, A.P., Hyderabad,
The District Collector, West Godavari
Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The Deputy Director of Treasury & Accounts, West Godavari.
Finance (FMU.Welfare-I) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER